

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

United States of America,)
v.) CRIMINAL ACTION NO.
The Public Warehousing Company) 1:09-CR-490
K.S.C., a/k/a Agility,)
Defendant.)

DEFENDANT'S MOTION FOR CONTINUANCE
OF INITIAL APPEARANCE AND ARRAIGNMENT

A hearing for initial appearance and arraignment in this matter was scheduled for 2:00 p.m. on December 15, 2009 before the Honorable Gerrilyn G. Brill and continued to an unspecified date and time. The government has attempted to serve Defendant The Public Warehousing Company, K.S.C., a/k/a Agility (“PWC”), a Kuwaiti company, by service on its United States subsidiary. There is a question as to whether such attempted service is adequate and sufficient. Accordingly, PWC requests a continuance so that the parties may attempt to resolve that issue.

PWC moves to continue the initial appearance to 11:30 a.m. on Friday, January 8, 2010 before the Honorable Alan J. Baverman.

The United States does not object to this continuance.

A proposed order is attached.

Dated: December 28, 2009 Respectfully submitted,

s/Richard H. Deane, Jr.
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Defendant.)

PROPOSED ORDER

Upon good cause having been shown, initial appearance and arraignment in this matter is rescheduled to 11:30 a.m. on Friday, January 8, 2010 before the Honorable Alan J. Baverman.

SO ORDERED, this the ____ day of December, 2009.

The Honorable Gerrilyn G. Brill, Magistrate
Judge for the United States District Court of
the Northern District of Georgia

CERTIFICATE OF SERVICE

I hereby certify that on this day I have caused a copy of the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filings to the following attorneys of record:

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This 28th day of December, 2009.

s/Richard H. Deane, Jr.
Richard H. Deane, Jr.